



KINGSTON PARISH COUNCIL

DISCIPLINARY POLICY & GRIEVANCE PROCEDURE

Disciplinary procedure

Suspension from work

If the Council believes it is appropriate, it may decide to suspend you from your work pending further investigation or disciplinary action. Suspension itself is not a disciplinary sanction.

If a decision to suspend is made, you will be informed verbally and this will usually be followed up in writing. While you are suspended, you should not attend work or make contact with anyone connected to the Council unless otherwise instructed by the Council. If you need to contact anyone connected to the Council while you are suspended, you must notify the Parish Council Chairperson. Any reasonable request will not be refused. Breach of the terms of your suspension may result in additional disciplinary action up to and including dismissal without notice.

The Council will endeavour to keep any suspension as brief as possible. Any period of suspension will be on full pay. However, should you fail to co-operate at any time with the investigatory process, for example by failing to attend any meeting, without good reason then the Council reserves the right to treat this as unauthorised absence and this may result in pay being withheld until such time as you attend any rearranged meeting.

Investigation Meetings

Depending on the circumstances, you may be required to attend Investigation Meetings before a decision is taken to invoke the disciplinary procedure. An Investigation Meeting is an informal meeting and so you are not entitled to be accompanied.

Depending on the outcome of the investigation, the Council will decide whether or not to proceed with a Disciplinary Meeting. If it is decided that there is no case to answer then you will be informed of this fact either verbally or in writing. You will be expected to return to work at the agreed date and time. This will end the process.

Invitation to a Disciplinary Meeting

If you are required to attend a Disciplinary Meeting, the Council will inform you of this in writing. In the letter, the Council will set out the issues that are to be considered, how seriously these are being viewed, the potential consequences and details of any intention to call witnesses. The letter will also inform you of the date and time of the meeting to allow you sufficient time to prepare your case.

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As this is a formal meeting, the letter will also detail your right to be accompanied.

Your right to be accompanied at a Disciplinary Meeting

You are entitled to be accompanied at a Disciplinary Meeting by a person of your choosing. Should you wish to be accompanied, you must notify the Council of the name and position of your chosen companion as soon as possible.

The Council may require you to choose someone else in circumstances where it believes the chosen companion may have a conflict of interest, or may prejudice the meeting or it would be unreasonable to allow your chosen companion to attend.

Your companion is permitted to put forward and summarise your case, respond on your behalf to views expressed in the meeting, ask questions and confer with you, but will not be entitled to answer questions directly on your behalf.

Action if you cannot attend the meeting on the proposed date

If you feel that you have a legitimate reason as to why you cannot attend the meeting on the proposed date, you must contact the person named on the invitation letter to advise them of this fact immediately. The meeting may then be delayed to facilitate your attendance, if this is considered reasonable.

Attending the disciplinary meeting

You must attend the meeting at the proposed time. Failure to participate in the process or attend arranged meetings without good reason may result in additional disciplinary action or a decision being made in your absence.

Prior to the meeting, you should ensure that you are fully prepared to answer questions relating to the incident/circumstances in question. At the meeting you will be given every opportunity to state your case, present any evidence and call relevant witnesses before any decision is made.

Following the Disciplinary Meeting

At the end of the meeting there will normally be an adjournment to allow for consideration of the facts. You will be informed of the outcome and any sanction will be confirmed in writing to you as soon as possible.

In some circumstances there may be a need to adjourn and reconvene a meeting at a later date, to allow further investigation. In this case you will be advised accordingly.

Notification of the decision and disciplinary sanction

Following the Disciplinary Meeting, the Council will notify you of its decision and the disciplinary sanction it will apply. This letter will also explain your right to appeal against any decision taken and sanction applied.

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Your right of appeal against disciplinary action

If you wish to appeal against a decision you must submit your request in writing, stating the reasons for the appeal, to the individual identified in the letter confirming the sanction. This should be submitted within five working days of receiving notification. The first of these five working days is the day on which you received written confirmation of the decision.

The Appeal Meeting

You will be informed of the date and time of the Appeal Meeting. If you feel that you have a legitimate reason as to why you cannot attend the meeting on the proposed date, you must contact the person named on the invitation letter to inform them of this fact immediately. The meeting may then be delayed to facilitate your attendance, if this is considered reasonable.

You will be entitled to be accompanied by a person of your choosing.

At the Appeal Meeting you will be given an opportunity to state your case. Your companion is permitted to put forward and summarise your case, respond on your behalf to views expressed in the meeting, ask questions and confer with you, but will not be entitled to answer questions directly on your behalf.

The meeting will then be adjourned to allow the Council to consider the facts and the decision will be confirmed in writing. The outcome will be communicated as soon as possible, taking into account the complexity of the issues raised in the appeal. The decision at this stage will be final.

Grievance Procedure

A grievance is any concern, problem or complaint that you have in relation to your employment. Where possible, you should try to settle any grievance informally with the Parish Council Chairperson at the earliest opportunity. Where any grievance is unable to be resolved informally, this policy sets out the Council's Grievance Procedure.

This procedure is designed to ensure that any grievance you may have is dealt with effectively and in the shortest possible time. Whilst a problem is being dealt with under this procedure, normal work practices will continue to operate.

In the event that the appropriate member of the Parish Council is not available, the Council may nominate an alternative person to deal with the grievance

Your responsibilities

You have a responsibility to raise any grievances promptly and reasonably, assist the Council, if required, in any investigation of the matters raised in your grievance, follow the grievance procedure and attend all meetings arranged under it.

You may raise grievances either informally or formally. If you raise a grievance informally first, you may still raise the grievance formally subsequently if it is not resolved to your satisfaction.

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The Council aims to deal with all grievances promptly and impartially, and to make all reasonable efforts to achieve a satisfactory outcome.

You have the right to appeal against a decision the Council makes in respect of a grievance raised by you. In these cases, the Council will make every effort for the grievance to be dealt with by a different Parish Councillor to the person who dealt with the grievance initially.

The Council's decision at the appeal stage is final and there is no further right of appeal.

Procedure

Dealing with grievances informally

If you have any grievance, you should discuss this with the Parish Council's Chairperson in the first instance, who will then attempt to resolve the situation on an informal basis.

If attempts to resolve the matter informally do not work, it may be appropriate for you to raise a formal grievance under the following formal procedure.

Your right to be accompanied at Grievance Meetings

At all formal stages of this procedure, you are entitled to be accompanied by a person of your choosing. Should you wish to be accompanied, you must notify the Council of the name and position of your chosen companion as soon as possible.

Formal procedure

The Council will make all reasonable efforts to deal with formal grievances in a fair and consistent manner. While the Council will make every effort to settle any grievance within the time limits detailed in this procedure, this may not be possible on some occasions.

You must set out the nature of the grievance, and the full particulars of it, in writing. The written grievance should be submitted to the Parish Council's Chairperson. If your grievance is against Parish Council's Chairperson, you should submit it to the Parish Council's Vice-Chairperson.

Attending the Grievance Meeting

You will be invited to a meeting to discuss the grievance, normally within five working days of the Council receiving your grievance. You must take all reasonable steps to attend this meeting.

Prior to the meeting, you should ensure that you are fully prepared to present your grievance, share any supporting evidence and answer any questions relating to the incident/circumstances in question.

Notification of the outcome

After the Grievance Meeting, an appropriate period of time may be taken to allow for any further investigation and/or the consideration of all the facts before a decision is reached. The Council will then, normally, inform you in writing of its decision regarding the raised grievance without unreasonable delay. The letter will also explain your right to appeal against any decision taken.

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Appeals against grievance outcomes

If you are dissatisfied with a decision made regarding a grievance you have raised, you have the right of appeal. Whenever possible, the appeal will be dealt with by a different Parish Councillor to the person who dealt with the grievance.

Your appeal must be made in writing, stating the reasons for the appeal, to the individual identified in the decision letter.

This should be submitted no later than the end of the fifth working day after you received written notification. The first of these five working days is the day on which you received written confirmation of the Council's decision.

The Appeal Meeting

The Council will arrange and hold an Appeal Meeting as quickly as possible, normally within five days. You will be entitled to attend the Appeal Meeting and will be given an opportunity to state your case.

You must take all reasonable steps to attend this meeting. If you feel that you have a legitimate reason as to why you cannot attend the meeting on the proposed date, you must contact the person named on the invitation letter to inform them of this fact immediately. The meeting may then be delayed to facilitate your attendance, if this is considered reasonable.

You will be entitled to be accompanied by a person of your choosing.

At the Appeal Meeting you will be given an opportunity to state your case. Your companion is permitted to put forward and summarise your case, respond on your behalf to views expressed in the meeting, ask questions and confer with you, but will not be entitled to answer questions directly on your behalf.

The meeting will then be adjourned to allow the Council to consider the facts and the decision will be confirmed in writing. The outcome will be communicated as soon as possible, taking into account the complexity of the issues raised in the appeal. The decision at this stage will be final.

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